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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,634	11/18/2003	Hui-Huang Chang	BHT-3111-379	3258
7590 BRUCE H. TROXELL SUITE 1404 5205 LEESBURG PIKE FALLS CHURCH, VA 22041		07/17/2007	EXAMINER AKHAVANNIK, HADI	
			ART UNIT 2624	PAPER NUMBER
			MAIL DATE 07/17/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/714,634	Applicant(s) CHANG ET AL.	
	Examiner Hadi Akhavannik	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/12/07</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-2, 5-8, 11-13, and 15-16 rejected under 35 U.S.C. 102(b) as being anticipated by Fiete et al. (588112, referred to as "Fiete" herein).

Regarding claim 1, Fiete discloses a method for building a recovery model, the recovery model being used to reduce a zipper of image data (the examiner notes that the body of the claim never refers back to "zipper of image" and therefore this part of the claim is not given weight. Also, the abstract of Fiete discloses reducing streaks in an image, which the examiner believes reads on "zipper"):

producing a plurality of outputted signals according to a plurality of brightness, wherein the brightness are not all the same (column 3, lines 47 to column 4 line 24 discloses obtaining pixel data of the image. The system calculates the differences between the illumination data);

measuring a plurality of differences according to the outputted signals and a plurality of estimated signals corresponding to the brightness (column 4 line 16 to column 5 line 41 discloses measuring the differences of the pixel data that correspond to the illumination data);

establishing an interference model according to the differences (column 5 line 42 to column 6 line 51 discloses creating an interference model which is used to improve the image quality. The system runs statistical tests to see the quality of the interference model);

and producing the recovery model according to the interference model (column 6 line 52 to column 7 line 40 discloses finalizing the interference model and creating an recovery model as a result. The recovery model is then used to output a distorted free image).

Regarding claim 2, Fiete discloses producing the recovery model through a mathematic method according to the interference model (column 5 line 47 to column 7 line 34 discloses how the system tests an interference model to see if the statistical results are accurate and then creating a recovery model from the result. The recovery model is then used to create a distorted free image).

Regarding claim 5-6, please see the rejection of claim 1 as it discloses all aspects of claim 5-6. Note that the recovered image is better quality because it has diminished streaks.

Regarding claim 7, the rejection of claim 1 discloses all aspects of claim 7.

Regarding claim 8, the rejection of claim 2 discloses all aspects of claim 8.

Regarding, claim 11, see the rejection of claims 1 and 6. Also note that Fiete discloses a processing logic in columns 3 line 51 to column 5 line 46.

Regarding claim 12, the rejection of claim 7 discloses all aspects of claim 12.

Regarding claim 13, please see the rejection of claim 2 as it discloses all aspects of claim 13.

Regarding claim 15, the rejection of claim 5 discloses all aspects of claim 15.

Regarding claim 16, column 7 line 50 to column 11 line 25 discloses a software program.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 3-4, 9-10, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fiete in view of Bolin et al. (5751844, referred to as "Bolin" herein).

Regarding claim 3, Fiete discloses all aspects of claim 3 except for using a neural network.

Bolin discloses using a neural network (see figure 15 and column 14 line 28 to column 15 line 7, as it discloses using a neural network to solve for brightness issues in an image).

It would have been obvious at the time of the invention to one of ordinary skill in the art to include in Fiete a neural network means as taught by Bolin. The reason for the combination is because it makes for a more robust system that is able to optimize the

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brightness distribution of an image by using a common and efficient statistical method.

Further, note that both inventions are from the same field of endeavor of image correction.

Regarding claim 4, Bolin discloses that the Neural Network method comprises: setting a tolerance value; inputting a plurality of input data into an initial model; producing an output data from the initial model; modifying the initial model according to a difference of the output data and the input data; and outputting the modified model as the recovered model (please note that these are standard steps that any neural network must follow. Bolin Column 14 lines 28-45 discloses setting a tolerance value. Column 14 lines 46-58 disclose inputting the data. Column 14 lines 59-65 disclose producing an output based on the correction done by the neural network. And finally, column 14 line 59 to column 15 line 7 disclose outputting the result).

Regarding claim 9, please see the rejection of claim 3 as it discloses all aspects of claim 9.

Regarding claim 10, please see the rejection of claim 4 as it discloses all aspects of claim 10.

Regarding claim 14, the rejection of claim 3 discloses all aspects of claim 14.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Takahashi (6744916) discloses a method for fixing an error in an image by examining pixel differences.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hadi Akhavannik whose telephone number is 571-272-8622. The examiner can normally be reached on 10:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh M. Mehta can be reached on (571)272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HA
7/7/07


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